

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Leslie Grey Vanaman,

Petitioner,

v.

Mark Gutierrez,

Respondent.

No. CV-22-00485-TUC-JCH

**ORDER**

On January 25, 2024, Magistrate Judge Eric J. Markovich issued a Report and Recommendation ("R&R"), recommending that the Court deny Petitioner Leslie Grey Vanaman's petition under 28 U.S.C. § 2241 for a writ of habeas corpus by a person in federal custody. Doc. 22 The R&R notified the parties they had fourteen (14) days from the date of the R&R to file any objections. *Id.* at 14. On January 31, 2024, Petitioner requested until March 1, 2024, to file objections to the R&R. Doc. 23. On February 7, 2024, the Court granted Petitioner until February 22, 2024, to file any objection to the R&R. Doc. 24. No objections have been filed.

If no objections are filed, the district judge is not required to review the magistrate judge's R&R under any specified standard of review. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the district judge may conduct further review, "sua sponte or at the request of a party, under a de novo or any other standard." *Id.* at 154.

The Court has reviewed and considered the Petition (Doc. 1), Warden Gutierrez's Response and exhibits (Doc. 15), Petitioner's Reply (Doc. 21), and the Magistrate's R&R

1 (Doc. 22). The Court finds the R&R is well-reasoned and adopts Magistrate Judge  
2 Markovich's findings and conclusions.

3 The Court need not issue a certificate of appealability in this matter. *See Harrison*  
4 *v. Ollison*, 519 F.3d 952, 958 (9th Cir. 2008) (finding a § 2241 habeas does not require a  
5 certificate of appealability "unless the section 2241 petition is a section 2255 petition in  
6 disguise").


7 Accordingly, **IT IS ORDERED:**

8 1. **ADOPTING** the R&R (Doc. 22); and

9 2. **DENYING** Petitioner Vanaman's Petition for a Writ of Habeas Corpus under  
10 28 U.S.C. § 2241 (Doc. 1.) and **DISMISSING** this matter. The Clerk of Court shall  
11 docket this matter accordingly.

12 Dated this 27th day of February, 2024.

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John C. Hinderaker  
United States District Judge